7766905/2023/VIG-II-PRR01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PS – PR&RD Department – Allegation of claiming of salary irregularly for the absence period while on deputation at the O/o. the MPDO, Dagadarthi, SPSR Nellore District in respect of Sri P. Kamal Suresh Babu, Junior Assistant, O/o. the EE, PR, Kavali, SPSR Nellore District – Common disciplinary proceedings and charges framed against **Sri K. Srinivasa Rao, Divisional Accounts Officer,** O/o. the Executive Engineer, PR Division, Kavali, SPSR Nellore District **-** Charge proved in inquiry report of Member, C.O.I & IA dt:29.10.2021 - Representation received – Imposition of punishment of withholding of two (2) Annual Grade Increments with cumulative effect under Rule 9 (vi) of A.P.C.S (CC&A) Rules, 1991 – Orders – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG-II) DEPARTMENT

G.O.Rt.No.485 **Dated:10.08.2023**

Read the following:

1. From the DG, ACB, Letter C.No. 5/RE-NNL/2011, dated:1.6.2016.
2. U.O. Note No. 328559/304/WA/Admn.II/2016, Dt:01.09.2016 of Finance (Admn.II) Department.
3. G.O.Rt.No. 785, PR&RD (Vig. II) Department, Dated: 30.11.2017.
4. G.O.Rt.No. 791, PR&RD (Vig. II) Department, Dated: 30.11.2017.
5. From the Director of Works Accounts, Vijayawada, Letter No. DWA/Hyd/Sn.I/EC-1/2018-19/67, dt: 07.06.2018 along with written statement of defence dt: 21.05.2018 of Sri K. Srinivasa Rao DAO (Works), PH Division, Guntur.
6. G.O.Rt.No.27, PR&RD (Vig. II) Department, Dated: 22.01.2021.
7. From Sri K. Venkata Ramireddy, Member, Commissionerate of Inquiries, GAD and Inquiry Authority, D.O.Letter.No. 02/COI-KVR/2021, Dated:29.10.2021.
8. Govt. Memo.No.8245/Vig.II/2016-15, PR&RD(Vig.II) Dept., dated:09.02.2022.
9. From Sri K. Srinivasa Rao, former DAO, O/o. EE, PR, Kavali and presently working as DAO (Works), Grade-I (PR), PIU Division, Guntur, representation dt:22.06.2022.
10. Govt. Letter No.8245/Vig.II/2016-20, Dated:24.07.2023.
11. From the Secretary, APPSC, Letter No.219/DC&C/2023, Dated:09.08.2023.

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ORDER:

Based on the recommendations of the Director General, Anti-Corruption Bureau, A.P, made in the reference 1st read above, on the allegation of claiming of salary irregularly for the absence period while on deputation at the O/o. the MPDO, Dagadarthi, SPSR Nellore

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District, in respect of Sri P. Kamal Suresh Babu, Junior Assistant, O/o. the EE, PR, Kavali, SPSR Nellore District and as per the consent accorded by the Finance (Admn.II) Department vide reference 2nd read above, Government, among others, have initiated common disciplinary proceedings under Rule 24 of APCS (CC&A) Rules, 1991 duly framing following article of charge under Rule 20 of said Rules vide references 3rd and 4th read above against Sri K. Srinivasa Rao, Divisional Accounts Officer, O/o. the Executive Engineer, PR Division, Kavali, SPSR Nellore District, with a direction to submit his written statement of defence :

Charge :

That Sri K. Srinivasa Rao, while working as Divisional Accounts Officer, Office of Executive Engineer, Panchaayt Raj Division, Kavali from 04.09.2006 to 31.01.2009 and 21.02.2009 to 13.06.2009 failed to intimate about non-receipt of duty certificate and unauthorized absence of Sri Kamal Suresh Babu, Jr.Asst. from duty for about 403 days from 04.09.2006 to 31.01.2009 and 21.02.2009 to 13.06.2010 to Executive Engineer, PR, Kavali while preparing pay and allowances of Sri Kamal Suresh Babu, thereby causing loss to the Government.

Thus, Sri K. Srinivasa Rao, while working as Divisional Accounts Officer, Office of Executive Engineer, Panchaayt Raj Division, Kavali by his above mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Govt. servant and thereby contravened Rule 3 (1) & (2) of A.P.C.S (Conduct) Rules, 1964.

2. In the reference 5th read above, the Director of Works Accounts, Vijayawada has furnished the written statement of defence dt:21.05.2018 of Sri K. Srinivasa Rao, former DAO, O/o. EE, PR, Kavali and working as DAO (Works), PH Division, Guntur to Government for taking further action.

3. Government have not satisfied with the Written Statement Defence submitted by Charged Officer and decided to conduct regular inquiry into the matter against the charged officer Sri K. Srinivasa Rao, former DAO, O/o. EE, PR, Kavali including against eight (8) other co-charged officers involved in the case. Accordingly, in the reference 6th read above, Government have entrusted the case to Commissioner of Inquiries and appointed Sri K. Venkata Ramireddy, Member, C.O.I, G.A. Department as the Inquiring Authority under Rule 20 (2) of A.P.C.S (CC&A) Rules, 1991 to conduct inquiry into the charges framed against all the nine (9) Charged Officers into the matter.

4. In the reference 7th read above, the Member, C.O.I & Inquiring Authority has submitted inquiry report dt:29.10.2021, wherein the Inquiry Officer has held that charge framed against the charged officer Sri K. Srinivasa Rao, former DAO, O/o. EE, PR, Kavali, is held proved, among others.

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5. In the reference 8th read above, Government, among others, have communicated a copy of the inquiry report to the charged officer Sri K. Srinivasa Rao, former DAO, O/o. EE, PR, Kavali as per Rule 21 (2) of A.P.C.S (CC&A) Rules, 1991 for his representation if any on the findings of the Inquiry Authority.

6. In the reference 9th read above, the charged officer Sri K. Srinivasa Rao, former DAO, O/o. EE, PR, Kavali and presently working as DAO (Works), Grade-I (PR), PIU Division, Guntur, has submitted his representation dt:22.06.2022 stating that the Inquiry Authority has evaded from charge in respect of Charged Officer-5 Sri P. Nageswara Rao, E.E, PR, Kavali under beneath of G.O.Ms.NO.13, I&CAD. Department, Dt:15.01.1998, whereas in his case, the IA has not taken into cognizance and mentioned that the above said G.O is not implemented in the PR Division, Kavali and given findings against him holding that charge is proved. The services of the Charged Officer-1 Sri P. Kamal Surseh Babu, Junior Assistant, comes under ministerial services for which he is not responsible for claiming of salary. He has disagreed with the findings of I.A and requested to consider his representation and to exonerate him from charges in the matter.

7. Government have examined the matter with reference to the material made available and observe that the Chief Executive Officer, ZPP, Nellore vide Procs. Rc. No.A2/5581/06, dated:10.08.2007 issued orders in respect of Sri P. Kamal Suresh Babu, Junior Assistant, O/o. the EE, PR Division, Kavali for deputation to the O/o. the MPDO, Dagadarthi Mandal, with a direction therein to the E.E, PR, Kavali to relieve the individual from PR Division, Kavali and to claim salary upon receipt of duty certificate from the O/o. the MPDO, Dagadarthi Mandal. Accordingly, the C.O.-1 Sri P. Kamal Suresh Babu, Junior Assistant was got relieved from the O/o. the EE, PR, Kavali on 16.08.2007 itself to O/o. the MPDO, Dagadarthi Mandal on deputation basis. As per the above proceedings, the O/o. the EE, PR, Kavali has to draw the pay and allowance of above individual only upon a duty certificate received from the O/o.the MPDO, Dagadarthi. Whereas the charged officer Sri K. Srinivasa Rao, having been worked as DAO, in the O/o. EE, PR, Kavali from 04.09.2006 to 31.01.2009 and from 21.02.2009 to 12.06.2009, had failed to intimate the non-receipt of duty certificate and unauthorized absence of Sri Kamal Suresh Babu, Jr.Asst. from duty for about 403 days from 04.09.2006 to 31.01.2009 and 21.02.2009 to 13.06.2010 to Executive Engineer, PR, Kavali while preparing pay and allowances of Sri Kamal Suresh Babu, Jr. Asst. His contention that he is not concerned and to exonerate him from the charge is devoid of merits as he is not absolved from the charge.

8. Government, after examination of the matter, have taken a decision to impose a punishment of withholding of two (2) Annual Grade Increments with cumulative effect as per Rule 9 (vi) of APCS (CC&A) Rules, 1991, against the charged officer Sri K. Srinivasa Rao,

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former DAO, O/o. EE, PR, Kavali and presently working as DAO (Works), Grade-I (PR), PIU Division, Guntur, since the charge is held proved against him and addressed the A.P. Public Service Commission for their concurrence vide reference 10th read above.

9. In the reference 11th read above, the Secretary, A.P. Public Service Commission has communicated the consent of the Commission to impose the above penalty against the charged officer and advised to take action accordingly.

10. Accordingly, Government after careful examination of the matter, hereby impose the punishment of withholding of two (2) Annual Grade Increments with cumulative effect against Sri K. Srinivasa Rao, former DAO, O/o. EE, PR, Kavali and presently working as DAO (Works), Grade-I (PR), PIU Division, Guntur under Rule 9 (vi) of A.P.C.S (CC&A) Rules, 1991, in the matter.

11. The Director of Works Accounts, A.P, Vijayawada, is requested to take further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B RAJSEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Director of Works Accounts, A.P, Vijayawada.
The Finance (Admn.II) Department.
Sri K. Srinivasa Rao, former DAO, O/o. EE, PR, Kavali and presently working as DAO (Works), Grade-I (PR), PIU Division, Guntur
(through the Director of Works Accounts, A.P, Vijayawada (with a request to serve the order on the individual and furnish served copy to Government).

Copy to:
The Engineer-in-Chief, Panchayat Raj, AP, Vijayawada.
The Director General, Anti-Corruption Bureau, A.P., Vijayawada.
The A.P. Public Service Commission, Vijayawada.
OSD to the Hon'ble Dy.CM for PR&RD Department.
PS to Spl. CS to Govt, PR&RD Department.
SF/SC

//FORWARDED::BY::ORDER//

SECTION OFFICER